

**REMARKS**

Claims 1, 2 and 4-26 were pending at the time of the last Office Action. Applicant has amended claims 1, 2, 4, and 10 and canceled claims 5, 12, 15, and 16. Thus, claims 1, 2, 4, 6-11, 13, 14, and 17-26 are now pending.

The Examiner has rejected, under 35 U.S.C. § 103(a) as being unpatentable, claims 1-2, 4-16, 20-23 and 25 over Katseff and Kalra; claims 17-18 and 24 over Katseff, Kalra, and Trueblood; and claims 19 and 26 over Katseff, Kalra, Trueblood, and Moran. Although applicants disagree, applicants have amended the claims to clarify the claimed subject matter.

Each of the claims now recites that a media stream of a first type is modified in a linear manner and a media stream of a second type is modified in a non-linear manner. Independent claim 1 recites “modifying in a linear manner a timeline of the selected one of the media streams of the first type” and “modifying in a non-linear manner a timeline of the selected one of the media streams of the second type.” Independent claim 4 recites “modifying in a linear manner a timeline of the media stream of the first type” and “modifying in a non-linear manner a timeline of the media stream of the second type.” Independent claim 10 recites “a timeline modified in a linear manner” and “a timeline modified in a non-linear manner.”

The “linear” and “non-linear” language is newly added to the claims. Applicant can find nothing in the relied-upon references to suggest a “non-linear” modification to a timeline of a media stream.

In rejecting claim 1, the Examiner relies on Katseff at 13:61-14:6 as describing “accepting a speed designation at the network client from a human.” (Office Action, Dec. 8, 2008, p. 3.) This relied-upon portion describes the “video process will adjust the rate of data being requested from the storage and the retrieval system 70.” It appears that the Examiner believes that Katseff’s retrieval system 70 corresponds to the claimed

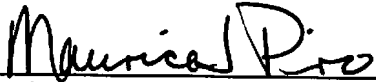
network server and that Katseff's workstation 15 corresponds to the claimed network client. Since Katseff's workstation 15 controls the rate at which data is retrieved retrieval system 70, Katseff's retrieval system 70 does not modify any timeline. Thus, given the Examiner's correspondence, Katseff does not suggest that a network server performs timeline modification. Moreover, such requesting of data from a server cannot be considered "streaming" as recited by each claim. Streaming is "the process of delivering information, especially multimedia sound or video, in a steady flow that the recipient can access as the file is being transmitted." (Microsoft Computer Dictionary, Fifth Ed., 2002, p. 499.) Thus, Katseff's adjusting of rates cannot be considered to be a "steady flow."

Based upon the above amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 418268768US1 from which the undersigned is authorized to draw.

Dated: June 8, 2009

Respectfully submitted,

By 

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